

1 recommendations made by the magistrate judge. Id. De novo review means the court must
2 consider the matter anew, the same as if it had not been heard before and as if no decision
3 previously had been rendered. Ness v. Commissioner, 954 F.2d 1495, 1497 (9th Cir. 1992).
4 Thus, although the district court need not hold a de novo hearing, the court's obligation is to
5 arrive at its own independent conclusion about those portions of the magistrate judge's findings
6 or recommendation to which objections are made. United States v. Remsing, 874 F.2d 614,
7 617 (9th Cir. 1989).

8 After conducting a *de novo* independent review of the record, the Court accepts and
9 adopts the Magistrate Judge's recommendation (#66).

10 **III. CONCLUSION**

11 IT IS HEREBY ORDERED that Defendants' Objection to U.S. Magistrate Judge's
12 Report and Recommendation (#67) is DENIED and the Report and Recommendation (#66)
13 entered by the Magistrate Judge on July 23, 2008 is ADOPTED.

14 IT IS FURTHER ORDERED that this action is DISMISSED with prejudice. The Clerk
15 of the Court shall enter judgment accordingly.

16 IT IS SO ORDERED.

17 DATED: This 19th day of August, 2008.

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22 UNITED STATES DISTRICT JUDGE
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